

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS DEWEY TAYLOR, JR.,

Defendant.

DOCKET NO. 1:23-cr-14

**UNOPPOSED MOTION TO
CONTINUE PRETRIAL
MOTIONS DEADLINE**

Defendant, Thomas Dewey Taylor, Jr., by and through undersigned counsel, moves this Honorable Court to continue his pretrial motions deadline, currently set for today, March 30, 2023, for an additional period of time to April 14, 2023. In support of this motion, Mr. Taylor states:

1. Mr. Taylor made his Initial Appearance on the above captioned indictment on March 1, 2023 and requested that counsel be appointed to represent him. The Federal Public Defender for the Western District of North Carolina was appointed to represent him and undersigned counsel was assigned to his case. On that same date, Arraignment and Detention Hearings were held. At the conclusion of these hearings, Mr. Taylor was detained. The Standard Arraignment Order scheduled a pretrial motions deadline of 30 days from the date of Mr. Taylor's arraignment for today, March 30, 2023.

2. Mr. Taylor's charges emanate from a lengthy state investigation beginning in September of 2021. Discovery has been received by Mr. Taylor and an additional amount of discovery was produced to Mr. Taylor this week. Based on a review of the discovery thus far,

Mr. Taylor is in need of additional time to perform further investigation and research into his charges in order for Mr. Taylor to be provided the necessary information to make informed decisions regarding how to proceed in his case, including whether or not the filing of pretrial motions is necessary. Mr. Taylor requests that his pretrial motions deadline be continued to April 14, 2023.

4. Because the continuance is necessary to review discovery, conduct further investigation, to continue consulting with Mr. Taylor and to continue discussions with the government, failure to grant this continuance would deny counsel for Mr. Taylor the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

5. "At any time before trial, the court may extend or reset the deadline for pretrial motions." Fed. R. Crim. P. 12(c)(2). The "pretrial motions deadline requirement embodied in Rule 12 serves 'an important social policy and not a narrow, finicky procedural requirement[.]'" *United States v. Salahuddin*, 509 F.3d 858, 862 (7th Cir. 2007) (quoting *Jones v. United States*, 362 U.S. 257, 264 (1960), overruled on other grounds, *United States v. Salvucci*, 448 U.S. 83, 95 (1980)). The goals of Rule 12 would not be jeopardized by extending the pretrial motions filing deadline in this case.

6. Undersigned counsel has contacted Assistant United States Attorney Alex Scott and he does not oppose this Motion to Continue Pretrial Motions Deadline.

WHEREFORE, Mr. Taylor respectfully requests this Honorable Court continue his pretrial motions deadline for an additional period of time to Friday, April 14, 2023.

Dated: March 30, 2023

Respectfully Submitted,

s/Mary Ellen Coleman

Mary Ellen Coleman

NC Bar 45313

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